

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23344 of 2004

Between:

Syed Mohammad Zainulabedi Nkazimi S/o Mir quiamuddin Ali Kazi D. no 9-4-
131/1/B/76, Niadeem Colony,
Tolichowki, Hyderabad

..... PETITIONER

AND

The Regional Passport Officer, Hyderabad, Near Prasanth Theatre,
Secunderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the respondent in not receiving the petitioner's application and consider the same in issuance of fresh passport with his correct date of Birth is illegal, arbitrary and unjust; and consequently direct the Respondent to receive the petitioner's application and consider the same for issuance of fresh passport with correct date of Birth ie., 5-8-1963 instead of 5-10-1960 and to pass such other order or orders

Counsel for the Petitioner:MR.B.SHIVA KUMAR

**Counsel for the Respondent No.: MR.ARAJASHEKAR REDDY (SC FOR CG) ,
Smt Y.B.Saraswathi, Addl.S.C for C.G. appeared**

The Court at the stage of admission made the following :

ORDER:

The petitioner claims to have obtained a passport bearing No. L 388650 dated 13-5-1992, which was renewed on 18-2-2004 and a fresh passport was issued bearing No. E 7802296, valid up to 17-2-2014. The grievance of the petitioner is that his actual date of birth is 5-8-1963 and the same was correctly recorded in his Secondary School Certificate but wrongly recorded as 5-10-1960 in the passport and the same was noticed by him while renewing the passport. It is stated that he has approached the respondent Passport Officer for correction of his date of birth in the Pass Port as per his school records and the respondent has refused to correct the same on the ground that he has no powers. Hence, the present writ petition for correction of date of birth in the Passport.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent. Both counsel agreed for disposal of the writ petition at the admission stage.

The petitioner has not filed any documentary proof to substantiate his claim that he has approached the Passport Officer for correction of his date of birth and the same was rejected. Thus it is premature to say that the respondent is not

entertaining his request for correction of date of birth. There are no merits in the writ petition and the same is accordingly dismissed. However, the petitioner is at liberty to approach the respondent authority with appropriate application together with necessary documents to prove his date of birth. On filing any such application, the respondent shall consider the same and dispose of in accordance with law and circular instructions dated 18-4-2001 issued by the Ministry of External Affairs, Government of India. No costs.

_____ N.V.RAMANA,J

16-12-2004

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Regional Passport Officer, Hyderabad, Near Prasanth Theatre,
Secunderabad

2.2CCs to

3.2CD copies

4.2CCs to

Form-NIC-OGS/WP{TRT}